

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

NICOLE HOUSE, )  
 )  
Plaintiff, )  
 )  
vs. ) COMPLAINT  
 )  
ALASKA NATIVE TRIBAL )  
HEALTH CONSORTIUM )  
 )  
Defendant. )  
 )  
\_\_\_\_\_ ) Case No. 3AN-19-\_\_\_\_\_ CI

**COMPLAINT**

NOW COMES the Plaintiff, Nicole House, by and through her undersigned attorneys, Crowson Law Group, and sues Defendant, alleging as follows:

1. Plaintiff Nicole House, for all times mentioned herein, was a resident of the Anchorage Borough, State of Alaska.
2. Defendant Alaska Native Tribal Health Consortium is an Alaska entity doing business in Anchorage, Alaska with facilities located at 4000 Ambassador Drive, Anchorage.
3. At all times herein mentioned, Defendant was licensed and authorized to do business in Alaska.
4. At all times herein mentioned, upon information and belief Defendant was the owner and/or manager and/or occupier of the property where the subject accident giving rise to this action occurred.

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5. The accident described below occurred at the driveway/sidewalk pavement of the property known as new patient housing located north of the Alaska Native Medical Center across Tudor Center Drive and, as a result, venue properly lies with this court.
6. Jurisdiction properly lies with this honorable Court.
7. That on or about October 22, 2017, the Defendant owned, operated, occupied, managed and/or maintained or had a duty to own, operate, occupy, manage and/or maintain, both individually and by and/or through its agents, lessees, servants and/or employees, a certain premise located at the driveway/sidewalk and pavement of the property known as new patient housing north of the Alaska Native Medical Center across Tudor Center Drive.
8. At the aforesaid time and place, Plaintiff was lawfully on said premises.
9. At the aforesaid time and place, the Defendant, individually and/or by and through their agents, servants and/or employees maintained the aforementioned premises including the sidewalks, parking lots, pump islands, entrance and exits to said premises in such a manner where the areas became and/or caused an injury hazard when they permitted a metal cover to exist on the surface of the pavement of the driving and walking surface of the premises.
10. At the aforesaid time and place, as the Plaintiff was walking to enter new patient housing, she was caused to slip due to the unreasonably slippery and dangerous surface of a metal utility cover and was caused to fall on the ground sustaining severe and permanent injuries.

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11. At the aforesaid time and place, the Defendants, individually and/or by and through their agents, lessees, servants and/or employees, had a duty to maintain the aforementioned premises, including said driving and walkway surface, in a reasonably safe condition for persons lawfully on said premises, to include the Plaintiff herein.

12. At the aforesaid time and place, the Defendant, by and through its agents, lessees, servants and/or employees, disregarded said duty and failed to properly guard against injury by allowing an unreasonably slippery and dangerous condition to exist in an area intended to serve vulnerable population which resulted in causing Plaintiff to trip/slip and fall.

13. At the aforesaid time and place, the Defendant, as the maintainer of the aforementioned premises, either individually or by and through its agents, lessees, servants and/or employees acted with less than reasonable care and was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Improperly operated, managed, maintained and controlled its premises in failing to properly maintain the aforementioned parking lots and walkway surface on the premises;
- b. Failed to remedy the surface of the aforementioned parking lot, driving and walkway surface of the premises for an unreasonable length of time.

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- c. Failed to warn the Plaintiff and other persons lawfully on said premises of the dangerous condition when Defendant knew or should have known in the exercise of ordinary care that said warning was necessary to prevent injury to the Plaintiff or others legally on the premises.
- d. Failed to make a reasonable inspection of its premises when it knew or in the exercise of ordinary care should have known that said inspection was necessary to prevent injury to the Plaintiff and others lawfully on the premises.
- e. Failed to perform/provide parking lot and walkway surface maintenance in accordance with any and all written agreements and/or contracts such as to avoid hazards to develop.
- f. Failed to perform/provide parking lot and walkway surface appropriate for the anticipated population and use in accordance with custom and practice in the industry resulting in the presence of the dangerous conditions at the location of said accident.
- g. Was otherwise careless and negligent in the operation of its premises.

14. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of the Defendant Plaintiff sustained severe and permanent injuries; both internally and externally, and was and will be hindered and prevented from attending to her usual duties and affairs of life, and has lost and will in the future lose value of that time as aforementioned.

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15. As a direct and proximate result of the aforesaid careless and negligent acts the Plaintiff then and there suffered great pain and anguish, both in mind and body and will in the future continue to suffer. The Plaintiff further expended and will expend and become liable for large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, the Plaintiff prays for judgment against the Defendant in such an amount in excess of this Court's jurisdictional requisite as will fairly and adequately compensate the Plaintiff for his injuries, losses and damages as herein above alleged, costs of suit, and any further relief which this Honorable Court finds fair and just.

WHEREFORE, Plaintiff prays judgment against Defendants as follows:

1. For general damages.
2. For all medical and incidental expenses according to proof.
3. For loss of income, past and future.
4. For costs of suit herein incurred.
5. That this case be tried by jury.
6. For such other and further relief as the court may deem proper.

Respectfully submitted on this the 30<sup>th</sup> day of September, 2019.


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